

Notice of Allowability	Application No.	Applicant(s)	
	10/063,791	SCHOTTLAND ET AL.	
	Examiner	Art Unit	
	Guiyoung Lee	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the BRIEF FOR APPELLANT filed 10/25/2004.
2. ☒ The allowed claim(s) is/are 1-70 and 72-101.
3. ☒ The drawings filed on 13 May 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. Receipt is acknowledged of the BRIEF FOR APPELLANT filed 10/25/2004.
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ryan E. Anderson on 1/4/2005.

The application has been amended as follows:

IN THE CLAIMS:

- Re claim 9: Delete " and derivatives thereof" in line 4.
- Re claim 12: Delete " and derivatives thereof" in line 4.
- Re claim 24: Delete " and derivatives thereof" in line 4.
- Re claim 27: Delete " and derivatives thereof" in line 4.
- Re claim 41: Delete " and derivatives thereof" in line 4.
- Re claim 51: Delete " and derivatives thereof" in line 4.
- Re claim 56: Delete " and all their derivatives thereof" in lines 4-5.
- Re claim 61: Delete " and derivatives thereof" in line 4.
- Re claim 69: Delete " and derivatives thereof" in line 4.
- Re claim 75: Delete " and all their derivatives thereof" in lines 4-5.
- Re claim 80: Delete " and derivatives thereof" in line 4.

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Re claim 88: Delete “ and derivatives thereof” in line 4.

Re claim 94: Delete “ and all their derivatives thereof” in lines 4-5.

Allowable Subject Matter

3. Claims 1-70 and 72-101 are allowed.

4. The following is an examiner’s statement of reasons for allowance: With regard to independent claims 1, 43, 58, 77, the prior art of record, Schöniger et al. (USPT 5, 136,483), teaches photoluminescent material contained in a headlamp lens, saying that “ a headlamp or lamp for producing a beam of light has at its main parts a transparent illuminating or light emitting element 10 which is made in the form of a round plate of glass or transparent resin such as PMMA and the material may contain fluorescent particles (col. 3, lines 25-30)”. However, Schöniger et al. lacks the limitations of “a lens comprising, a polycarbonate and a photoluminescent material” and “ a visual effect at least at an edge of the lens” in the independent claims. In addition, Applicant explains the color visual edge effect as, “the lens of the present invention comprises a molded body having a generally concave outer surface, a flat or convex inner surface and an edge surface, wherein the molded body is formed from a composition comprising polycarbonate and a photoluminescent material. Light which includes light of a wavelength within the excitation spectrum of the photoluminescent material is partially absorbed and partially transmitted, and the absorbed light is at least partially (depending on the quantum yield of the luminescence) emitted as light of a higher wavelength (as a result of a Stokes shift) and is conducted to a substantial extent to the edge surface of the lens thereby creating a color visual effect at the edge of the lens (paragraph 0008).” Applicant, further,

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defines the visual edge effect as follows; “Generally at least 10 % of the light emitted by photoluminescence is conducted through the interior of the lens to the edges, preferably at least 30 %. This is achieved in polycarbonate lenses and bezels because the high index of refraction results in significant amount of internal reflection (Paragraph 0008)”. Even though Chase et al. (US 6,502,974 B1) discloses a polycarbonate material for an outer lens and bezels of an automotive headlamp, neither the reference to Schöniger et al. nor the reference to Chase et al. (USPT 6,502,974 B1) does disclose the visual edge effect as taught by Applicant in the Specification in order to improve lighting performance in such manner as reducing glare, increasing brightness or producing a beam that enhances road visibility at night. Therefore, Independent claims 1, 43, 58, 77 are patentable over the prior art of record, and dependent claims 2-42, 44-57, 59-70, 72-75, 78-101 are also patentable over the prior art of record because of their dependency.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Guiyoung Lee whose telephone number is 571-272-2374. The examiner can normally be reached on M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LGY



Sandra O'Shea
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